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	SYNERON MEDICAL LTD. and SYNERON INC				
18	UNITED STATES I	DISTRICT COURT			
19					
	NORTHERN DISTRIC	CT OF CALIFORNIA			
20	CANIEDANICIC	CO DIVICION			
<b>\ 1</b>	SAN FRANCIS	CODIVISION			
21	THEDMACE INC	C N- C 04 2005 CDD			
22	THERMAGE, INC., Plaintiff,	Case No. C-04-2995-CRB			
22	riamum,	JOINT STIPULATION AND			
23	v.	[PROPOSED] ORDER REGARDING			
	v.	DISMISSAL WITH PREJUDICE			
24	SYNERON MEDICAL LTD. and				
	SYNERON INC.,	Honorable Charles R. Breyer			
25	Defendants.	·			
26	AND RELATED COUNTERCLAIMS				
_					
27					
10					
28	STIPULATED DISMISSAL AND [PROPOSED] ORDER				
	CASE No. C-04-2995-CRB				

1	Pursuant to Federal Rule of Civil Procedure 41(a)(1)(ii), Plaintiff and Counterdefendant					
2	Thermage, Inc. ("Thermage") and Defendants and Counterclaimants Syneron Medical Ltd. and					
3	Syneron Inc.	Syneron Inc. (collectively, "Syneron"), through their respective counsel of record, hereby jointly				
4	stipulate to th	stipulate to the dismissal with prejudice of this entire action as follows:				
5	1.	Thermage's claims	regarding the al	lleged infringement of U.S. Patent Nos. 5,755,753,		
6	5,919,219, 5,	5,919,219, 5,948,011, 6,405,090, 6,377,855 and 6,749,624 are dismissed with prejudice in their				
7	entirety;					
8	2.	Syneron's counterclaims regarding the alleged noninfringement and invalidity of U.S.				
9	Patent Nos. 5	Nos. 5,755,753, 5,919,219, 5,948,011, 6,405,090, 6,377,855 and 6,749,624 and Syneron's				
10	counterclaim regarding the alleged unenforceability of U.S. Patent No. 6,749,624 are dismissed with					
11	prejudice in their entirety;					
12	3.	Syneron's counterclaim regarding the alleged infringement of U.S. Patent No.				
13	5,569,242 is dismissed with prejudice in its entirety;					
14	4.	Thermage's counterclaim-in-reply regarding the alleged noninfringement, invalidity				
15	and unenforceability of U.S. Patent No. 5,569,242 is dismissed with prejudice in its entirety;					
16	5.	Each party shall bear its own attorney's fees and costs relating to this action.				
17	6.	The parties respectfully request that the Court enter the Order attached hereto.				
18						
19	SO STIPULATED:					
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22	Dated	l: June 8, 2005	WOOD, H	HERRON & EVANS, LLP		
23			Ву:	/S/		
24				J. Robert Chambers		
25				torneys for Plaintiff/Counterdefendant IERMAGE, INC.		
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1	Dated: June 8, 2005	MOR	RISON & FOERSTER LLP	
2		D.,,	/S/	
3		By:	/S/ Jill D. Neiman	
4			Attorneys for Defendants/Counterclaimants SYNERON MEDICAL LTD. and SYNERON INC.	
5			SYNERON MEDICAL LID. and SYNERON INC.	
6				
7	I hereby attest that I have on f	ile all hol	ograph signatures for any signatures indicated by a	
8	I hereby attest that I have on file all holograph signatures for any signatures indicated by a "conformed" signature (/S/) within this e-filed document.			
9		is c-incu	document.	
10	Dated: June 8, 2005 MOR	RISON &	z FOERSTER LLP	
11				
12	]	Ву:	/S/ Jill D. Neiman	
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28	STIDIII ATED DISMISSAL AND [PDODOSED] (	DDED		

1	[PROPOSED] ORDER				
2	PURSUANT TO THE STIPULATION OF THE PARTIES, IT HEREBY ORDERED THAT				
3	this entire action is dismissed with prejudice as follows:				
4	1. Thermage's claims regarding the alleged infringement of U.S. Patent Nos. 5,755,753,				
5	5,919,219, 5,948,011, 6,405,090, 6,377,855 and 6,749,624 are dismissed with prejudice in their				
6	entirety;				
7	2. Syneron's counterclaims regarding the alleged noninfringement and invalidity of U.S.				
8	Patent Nos. 5,755,753, 5,919,219, 5,948,011, 6,405,090, 6,377,855 and 6,749,624 and Syneron's				
9	counterclaim regarding the alleged unenforceability of U.S. Patent No. 6,749,624 are dismissed with				
10	prejudice in their entirety;				
11	3. Syneron's counterclaim regarding the alleged infringement of U.S. Patent No.				
12	5,569,242 is dismissed with prejudice in its entirety;				
13	4. Thermage's counterclaim-in-reply regarding the alleged noninfringement, invalidity and				
14	unenforceability of U.S. Patent No. 5,569,242 is dismissed with prejudice in its entirety;				
15	5. Each party shall bear its own attorney's fees and costs.				
16	5. Each party shall bear its own attorney's fees and costs.				
17	Dated: _June 09, 2005				
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19	Charles R. Breyer Charles R. Breyer United States District Que				
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21	DISTRICT				
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28	[PROPOSED] STIPULATED SCHEDULING ORDER				